

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HICHAM AZKOUR,

Plaintiff,

-v-

LITTLE REST TWELVE,

Defendant.

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No. 10 Civ. 4132 (RJS) (KNF)
ORDER

RICHARD J. SULLIVAN, District Judge:

Now before the Court is Plaintiff's motion seeking certification that an interlocutory appeal of the Court's March 26, 2014 Order (Doc. No. 187) is proper pursuant to 28 U.S.C. § 1292(b). (Doc. No. 188.) A district court may make such a certification when (1) the "order involves a controlling question of law"; (2) "as to which there is substantial ground for difference of opinion"; and (3) "an immediate appeal from the order may materially advance the ultimate termination of the litigation." 28 U.S.C. § 1292(b); *see also In re Blech Sec. Litig.*, No. 94 Civ. 7696 (RWS), 2003 WL 134988, at *1 (S.D.N.Y. Jan. 17, 2003). Here, the Court determines that the second and third prongs are not met. The Court finds that there is no substantial ground for a difference of opinion and that allowing an appeal – as opposed to moving on to trial – would only delay the litigation. Accordingly, IT IS HEREBY ORDERED THAT Plaintiff's motion is DENIED.

SO ORDERED.

Dated: April 2, 2014
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE

A copy of this Order has been sent by e-mail to:

Hicham Azkour

hicham.azkour@gmail.com